1 2	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON			
3 4 5 6 7 8 9	In the Matter of the Educator License of TL JOE SHEPHERD	) ) )	DEFAULT ORDER OF DENIAL OF APPLICATION AND REVOCATION OF RIGHT TO APPLY FOR AN EDUCATOR LICENSE	
10	On March 29, 2018, the Teache	r Stan	dards and Practices Commission (Commission)	
11	issued a Notice of Opportunity for Hearing to TL Joe Shepherd (Shepherd) in which the			
12	Commission charged him with Gross Neglect of Duty. The Notice was sent via U.S. First			
13	Class Mail and U.S. Certified Mail Receipt 7017 0190 0000 6246 9013 to the address on file			
14	with the Commission. The Notice designated the Commission file as the record for purposes			
15	of proving a prima facie case. The Certified Mail receipt was returned to the Commission			
16	signed, on April 2, 2018. The first class mail was not returned to the Commission and			
17	assumed delivered. The Notice of Opportunity of Hearing, dated March 29, 2018, and			
18	signed by Anthony Rosilez, Executive Director, stated:			
19 20 21 22 23 24 25 26	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 60-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."			
27	Shepherd did not request a hea	ring. I	The Commission, therefore, finds Shepherd to be	
28	in default and enters the following find	lings (	of fact, conclusions of law, and final order, based	
29	on the files and records of the Commis	sion o	concerning this matter.	
30	FIN	IDIN	GS OF FACT	
31	1. On September 29, 2017, the Comm	ission	received Shepherd's application for	
32	reinstatement of his licensure. The	reins	tatement investigation was completed and	
33	presented to the Commission at the January 2018 meeting. Shepherd made a			
34	personal appearance and presentation to the Commission at that meeting. The			
35	history of Shepherd's past case(s) a	ınd fa	cts that support the Commission's actions,	
36	include the following:			

a. On February 6, 2007, the Commission received a report from North
Marion School District (NMSD) alleging that Shepherd had violated
Professional Standards by using inappropriate language or terms towards
students. Shepherd was placed on a plan of assistance by NMSD and the
Commission took "No Further Action" on the report.

b. On June 9, 2014, the Commission received a second report from NMSD
alleging that Shepherd had engaged in inappropriate conduct with
students. The reported allegations spanned approximately 7 years.

- b. On June 9, 2014, the Commission received a second report from NMSD alleging that Shepherd had engaged in inappropriate conduct with students. The reported allegations spanned approximately 7 years, including the previously reported conduct considered by the Commission in 2007. The conduct reported included Shepherd using pet names for both male and female students, inappropriate conduct by holding a student's face in Shepherd's hands and patting/slapping a student on the cheek while verbally correcting behavior, poking a stick of lumber at a male student who had been unsafely operating a table saw, poking a female student in the ribs to get her to move out of Shepherd's way from a doorway, using inappropriate terms towards students or equipment like "Dumb-Ass Bar" (nail puller), "Insubordinate ass", "slimy weasel", and "Princess" as well as a general lack of respect for students.
- c. NMSD provided a history of local incidents and six related "reprimands" documented from January 2011 through June of 2014. This case was presented to the Commission on April 8, 2016, where they elected to revoke Shepherd's Oregon teaching license. Shepherd did not request a hearing to contest the charges, and Shepherd's case defaulted, resulting in a revocation on August 15, 2016. Shepherd's revocation was based on violations of the following Commission rules:

Gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it incorporates OAR 584-020-0010(1) (Recognize the worth and dignity of all persons and respect for each individual), OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-0030(2)(b) (Skill in communicating with administrators, students, staff, parents, and other patrons); and OAR 584-020-0040(4)(o) as it incorporates,

1	OAR 584-020-0035(1)(c)(D) (Honoring appropriate adult boundaries		
2	with students in conduct and conversations at all times).		
3	CONCLUSIONS OF LAW		
4	TL Joe Shepherd's conduct described above is grounds for denial of his application		
5	under ORS 342.143(2). The Commission denies Shepherd's reinstatement application for		
6	the following reasons:		
7	a) The information Shepherd submitted, along with Shepherd's reinstatement		
8	documents, does not establish that Shepherd possess good moral character,		
9	trustworthiness, or physical and mental health to hold an educator's license; and		
0	b) The conduct Shepherd engaged in that resulted in Shepherd's revocation.		
1			
12	The Commission's authority to impose discipline in this matter is based upon ORS		
13	342.175.		
4			
15	FINAL ORDER		
6	The Commission hereby denies TL Joe Shepherd's application for licensure and		
17	revokes TL Joe Shepherd's Right to Apply for an Educator License.		
8	IT IS SO ORDERED THISday of June, 2018.		
9	TEACHER STANDARDS AND PRACTICES COMMISSION		
20			
<b>)</b> 1	By:		
22	Dr. Anthony Rosilez, Executive Director		
22 23 24 25	NOTICE OF APPEAL OR RIGHTS		
25 26 27 28 29	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.		